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ABSTRACT

The concerns of a linguistic minority in Boston during the period when their school district was ordered to desegregate due to the existence of a dual school system are shared in this paper. Two factors characterize the Boston case: first, the plaintiffs are representatives of the black community concerned with the unfair treatment of black children. This means that the interest of the Hispanic children had to be defended within the context of integrating black and white Americans. Second, bilingual education was in existence, and a judge will more readily defend bilingual education in the context of existing legislation rather than force it as a new educational idea when the issue in question is desegregation and not bilingual education. Among the issues presented to the courts in the bilingual education plan are the following: the formation of at least four clusters of one language group in any given school at the elementary and middle school levels and seven to eight clusters in high school; the need for specialized teachers at the high school level; and, the necessity for accurate information on the number of school age children and out of school and the section of the city where they live. Issues concerning the value of bilingual education and desegregation are also questioned and discussed. For the most part the results of parent involvement in the decisions are positive. (Author/AM)

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BILINGUAL EDUCATION AND SCHOOL DESEGREGATION: THE CASE OF BOSTON

by

Maria Estela Brisk

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The main objective of this paper is to share the concerns of a linguistic minority when their school district is ordered to desegregate due to the existance of a dual school system, black and white. Two things caracterize the case of Boston. First, the plaintiffs were representatives of the Black community concerned with the unfair treatment of Black children. This meant that we had to defend the best interest of the Hispanic children[2] within the context of integrating Black and White Americans. This was the case in Colorado (Keyes v. Denver)[3] but not in other court cases concerning bilingual education.[4] Second, bilingual education legislation was in existance. In 1971 Massachusetts passed the Transitional Bilingual Education Law[5] mandating bilingual education for children with limited English speaking ability. Presently in Boston there are 5,745 children in bilingual education programs, distributed among six language groups: Spanish, 4,446; Chinese 514; Italian 308; Greek 207; Haitian French 157; and Portuguese, 113. A judge will more readily defend bilingual education in the context of existing legislation rather than have to force it as a new educational idea when the issue in question is desegregation and not bilingual education.

Since March 1972 Boston has been in the process of integrating the schools. The events that precipitated a complete and final plan for total desegregation issued by

Judge Garity on May 10, 1975 began only at the end of 1974. As a result of a Court order the School Committe of the City of Boston issued a plan on December 16, 1974 to complete desegregation in the Boston Public Schools. A second plan came out a month later with slight modifications.[6] The Plaintiffs presented their own plan[7] and a number of groups filed critiques with alternative solutions. In the meantime the Spanish parents concerned by the fate of their children and the already existing bilingual education programs formed a committee, "El Comite de Padres Pro-Defensa de la Educacion Bilingue". Parents'groups were organized in each community with a leader in charge of gathering opinions and imparting information. They also secured the help of lawyers from the Puerto Rican Legal Defense and the Massachusetts Chapter of The National Lawyers Guild. A technical committe was formed to aid in the formalizing of the issues. "El Comite" presented the case to court and were allowed to enter the suit as plaintiffs-intervenors. A plan dealing particularly with bilingual education was written, expressing general agreement with the Plaintiffs' plan as a sensible vehicle for integrating Boston Public Schools but since the bilingual issue was not properly nor fully considered, there was need for an additional plan dealing specifically with the bilingual issue. Only a few weeks elapsed since the formation of "El Comite" until the bilingual education plan was presented. The work was done under tremendous pressure and difficulty. I highly recommend

bilingual minorities to prepare in advance if their city is going to undergo desegregation in order to insure that bilingual children and their needs are properly considered in the total plan for desegregation.

In order to arrive at a final solution, Judge Garity appointed four Masters and two experts to review the various plans, to hold hearings from the corresponding parties, and to eventually present him with a plan for his revision and final approval.

In general most groups were sympathetic to the bilingual education cause. In the other plans, however, bilingual education was not treated in any depth. Moreover, the Spanish children were classified as Spanish white and Spanish black; they were spread around the Boston schools, forming very small clusters in each school[8]; and the School Committee's Plan proposed the creation of a multicultural magnet school which was to be located in a school in terrible physical condition and which the Spanish parents were afraid would become the token bilingual program. The latter issue truned to be a false alarm because the School Committe's Plan included bilingual education separately and in the context of the Transitional Bilingual Educational Law. In the light of these circumstances it was crucial for the Spanish parents to organize defend bilingual education and in the final analysis obtain beneficial results not only for the Hispanic children but for all children of linguistic minorities.

The classification of black and white Spanish surnamed does not have any relevance in the context of the type of educational program that bilingual children should get. Their needs are based on difference in language and culture and not on race. Moreover, Spanish people are already integrated, there is racial mixture within families, so it is rather unrealistic to try to determine their race. This issue has legal precedent such as U.S. v Texas and Keyes v. Denver where it was ruled that Mexican-Americans are a distinct ethnic minority. ANother reason why this separation should not be allowed is because Spanish white children are used to fill the white percentage requirement, resulting again in a segregated school with all minority children, Spanish white and Black Americans.

In order to have a viable bilingual program 'El Comite" felt it was necessary to have at least four clusters of one language group in a given school at the elementary and middle school levels and seven to eight in high school. Having more clusters means more teachers and aids with a greater variety of expertise, more flexibility in the grouping and better possibility of having support personnel for the bilingual children. Any group of Spanish children in the Boston area of the same age are at a variety of levels in their language,

reading and other skills depending on the time they have lived in this country, previous schooling, place of origin and other factors.

At the high school level the need for specialized teachers increases. A high school curriculum can have up to four different kinds of mathematics, three kinds of sciences, various social studies and other subect matters. In order to have quality education and run a program parallel to the Engli h program there is need for a number of specialized teachers. In addition, a school with a significant number of bilingual children will make a special effort to better serve these children by hiring a bilingual administrator, acquiring materials and books for their library and in general making a stronger commitment to bilingual education.

"El Comite" felt that clustering was sufficiently important to justify busing when needed to achieve the recommended number of clusters. To insure that the number of clusters and the location of the programs would be suitable "El Comite" had to determine the schools and distribution of the Spanish school age children in the city. The lack of data and the inacuracy of that available made it a very difficult task. The State figures showed 2,709 bilingual children; the School Committee's figures added up to 1,811 while the Bilingual Department estimates 5,745 children in bilingual programs.

In order to plan adequately it is essential to have accurate information on the number of school age children in

and out of school and the section of the city where they are living.

In the selection of the schools for bilingual programs the criteria was the size, location and existance of a suitable bilingual program. In order to insure four or more clusters perschool without tiping the racial balance it was important to select schools with large capacity. One hundred to 120 students (5 to 6 clusters) in a school of 1,000 students constituted only 10% of the student body, an unquestionable percentage. Busing was the least worry for Spanish parents, but neighborhood schools were selected for the most part because in general all parties were trying to achieve integration with a minimum of busing. Besides, neighborhood schools lead to more parent participation and improvement of school-community relationships. It was alsc important to choose schools that their personnel had already demonstrated a sincere interest in bilingual education and an understanding of the bilingual children and their needs. Besides, these schools, by their good reputation, are likely to attract the children who are out of school.

In the "reuniones de barrio" (neighborhood meetings) held previous and during the preparation of El Comite's plan a number of general concerns were expressed by the parents, such as the lack of programs with maintenance of language and culture after

the child has tested out of the bilingual program, the lack of bilingual kindergartens, the placement of those Spanish children who do not need bilingual education according to the Transitional Bilingual Education Law. After numerous discussions it was decided that the two latter points could be argued within a general integration suit. The first issue, that of maintenance, had to do more with the existing law and this was not the place to bring it up.

Massachusetts Transitional Bilingual Education Law fails to madate kindergarten. We successfully argued this case in terms of language development, need to receive reading readiness in the child's own language since in first grade s/he is taught to read in it. Besides, by not using the native language the child cannot participate meaningfully of the kindergarten program which is a vital part of any child's education.

A great concern of the Spanish parents was what would happen to those Spanish children who are not considered eligible for bilingual education programs. The Teachers' Union critique expressed that "in assigning students to such [bilingual] clusters that they are advanced and integrated into a majority Anglo-speaking population as soon as possible and are not continuously assigned to a majority Hispanic program throughout the student's academic carreer."[9] This reflects the feeling of

believers in "americanization" as fast as possible and at all cost, even if it means loosing language, identity, and establishing deep gaps within families. There is value in being a balanced bilingual and that is not going to occur if the child is isolated from his language and culture. Besides the child who has learned English still thinks and acts the way other Spanish children do, if he is in a school where there is a bilingual program there is a chance that there are going to be administrators, teachers and other personnel who are familiar with his culture and can communicate effectively with him; and since they know his language they can communicate effectivcly with his parents.

During the testimony of the bilingual expert, it became clear that the concern of the Masters and lawyers representing other parties was the value of bilingual education and whether there is incompatibility between bilingual education and desegregation. The following issues were questioned and discussed:

(1) Bilingual education tends to isolate the children and does not prepare them to face the mainstream of American life once they leave school. This objection arises from the belief that bilingual education retards the process of learning English. A bilingual program emphasizes the teaching in and learning of two languages, one of them English. In addition, it avoids the retardation of the learning process in content areas and has a positive effect in the affective domain among linguistic minority children.

When bilingual education is only for the non-English speaker, it can be seen as a form of segregation. There are ways to avoid separation, either by teaching all children in a given school both languages; by emphasizing individualized instruction;[10] or by having the children together in non-verbal subject areas such as physical education, music, art and separating them for other subject matters where language comprehension is crucial.

It is also important to clarify that children of the linguistic minorities are quite mobile and enter school at all grade levels. Consequently, it is important to have programs at all levels. At the high school level, the existance of bilingual education becomes even more important because the individual at that age has even more difficulty than a young child in learing and adjusting to a new language and culture.

(2) By preserving the mother tongue of non-English speaking children the parents loose the chance to learn English. Frequently children are responsible for teaching this language to their parents. It is indeed necessary for parents to learn English but this could be done through adult language programs and not at the cost of the children loosing their mother tongue.

(3) Bilingual education is remedial. Teaching in another language is not remedial, since the curricula is similar to that of other countries where that particular language is the medium of instruction. There is, however, need for

remedial education for non-native speakers of English, either because they have emotional problems, they are mentally retarded or because some of these children are teenagers who never went to school. These students need programs which are different from regular bilingual programs. The failure to differentiate regular from remedial bilingual education usually results in the lack of special programs for the bilingual children who need special education managed by specially trained personnel.

(4) A large percentage of bilingual children in one school is against desegregation. School desegregation usually implies schools with student bodies reflecting the racial distribution of the school district. Successful bilingual programs, however, have usually an equal proportion of children from each language group[11] or they have most children of one language group.[12] In the case of Boston, under school desegregation order, any of those two systems would be impossible. The population of Boston is constituted by 51% white, 37% black and only 12% other minority. In the case of Colorado, Keyes v. Denver, this issue was apparent also. At least in one school a great proportion of Mexican American children were allowed.

More research should be done on the importance of proportion of students in the success of a bilingual program. It should be studied and solved outside the context of desegregation to allow for objectivity.

Finally a certain degree of resentment was reflected in the questioning of the expert with respect to the fact that bilingual education was defended only for the interest of the Hispanic children. This was the case only because the Spanish parents were the ones who organized and entered their plan as plaintiff-intervenors. Of course the fact that they are the largest linguistic minority in Boston helped. All of the argumentation was done in defense of the prinicples of bilingual education which apply to any linguistic group who is interested in preserving their language and culture. In the final plan ordered by Judge Garity all of the groups benefited since the provisions are for bilingual children in general.

For the most part the results of having participated in the decisions were positive. The Spanish community of Boston got organized and is highly concious of the need to get interested in the education of their children. It was highly educational for most parents, who presently know a great deal more about bilingual education than four months ago. Bilingual programs at all levels, including kindergarten will be provided in desirable schools and in suitable clusters. The need to address and serve the interests of the bilingual students in the process of esegregating the schools was firmly established.

Boston School Department has to translate into all six languages besides English the booklet explaining the process of integration, school assignments and options. Moreover, the Citywide Council of 40 members appointed to overview the proper implementation of the plan has two Spanish members, two Chinese and other representatives of the different linguistic groups. Students will be classified as white, black, Hispanic, Chinese, American Indian or other. Bilingual students will be assigned before all others to the schools. There will be no less than twenty students of one minority at any given school, avoiding in this way the isolation of bilingual students who have tested out of a bilingual program. The well known examination schools for gifted children were ordered to recruit Black and Hispanic children to constitute up to 35% of the student body. Finally, one university will be concerned with serving the needs of bilingual programs in Boston Public Schools.

In conclusion, it is highly beneficial for parents of bilingual children to organize and voice their demands when their shcool district is ordered to integrate. More research should be done with respect to all of the issues discussed in this paper to insure that the interests of linguistic minorities are indeed served.

FOOTNOTES

[1]A group of 13 Black parents brought suit against the School Committee of the city of Boston in the case known as Tallulah MOrgan et al. v. John J. Kerrigan et al. of March 1972.

[2]The Spanish parents were the only ones to organize and enter the suit. What was learned from this experience could be applicable to any linguistic minority.

[3]Keyes v. Denver, 93 A Supreme Court Reporter, 2686 (1973).

[4]U.S. v. State of Texas, 342 Fed. Supp., 24 (1971); Morales v. Shannon , 366 Fed. Supp., 813 (1973); Serna v. Portales, 351 Fed. Supp. 1279 (1972); Aspira v. Board of Education of the City of New York, 58 F.R.D. 62 (S.D.N.Y. 1973);and Lau v. Nichols, 414 US 563 (1974).

[5]Massachusetts Gneral Laws Chapter 71A.

[6]Boston School Committee, Student Desegregation Plan (December 16, 1974) and idem (January 27, 1975).

[7]Tallulah Morgan et al. v. John J. Kerrigan et al., Civil Action No. 72-911-G (January 20, 1975).

[8]A cluster is a group of 15 with a teacher or 20 students with a teacher and an aid.

[9]Boston Teachers Union, "Teachers Union's Evaluations as to Student Desegregation Plans and Proposals," (February 5, 1975), p.22.

[10]See the plan for Del Rio School district in the case U.S. v Texas and Jose A. Cardenas "Bilingual Education, Segrgation, and A Third Alternative" Inequality in Education, no.19 (February, 1975), pp. 19-22.

[11]John F. Kennedy School in Berlin has 50% German students, 40% English speakers and 10% other; Coral Way School and other bilingual programs in Dade county keep their student body about half Spanish and half English.

[12]The St. Lambert project in Montreal is for English-speaking Canadians; a number of programs in Mexico, Peru, Guatemala and other Latin American countries are for Indian children only.